

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:03CV150-01-MU

JEFFREY KENT WITSCHER,

Plaintiff,

v.

DANE MASTIN, et al.,

Defendants.

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**ORDER**

**THIS MATTER** is before this Court upon Plaintiff's Motion to Change Divisions and Motion to Reconsider, both filed September 13, 2004, and Plaintiff's Motion for Production of SBI report, filed August 31, 2004.

Plaintiff requests that his case be transferred from the Statesville Division of the United States District Court for the Western District of North Carolina to the Charlotte Division because he is displeased with the response time of the Court. The division to which a case is assigned has no bearing on the manner in which a case is reviewed and processed and Plaintiff's motion is denied.

Plaintiff also moves the Court to reconsider its dismissal of Wilkes County and the Wilkes County Sheriff's Department from his case. Again, Plaintiff has alleged no policy or custom of the these former defendants. Plaintiff's Motion to Reconsider is denied.

Plaintiff also requests a copy of the full SBI report from the incident in question. The Court finds this to be a reasonable request and hereby orders Defendants to produce such document or to state why they cannot.

**THEREFORE, IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion to Change Divisions is **DENIED**;

2. Plaintiff's Motion to Reconsider is **DENIED**; and

3. Plaintiff's Motion for Production of SBI report is **GRANTED** and Defendants are ordered to produce a copy this report to the Court within twenty days of the filing of this Order. The Court will then send a copy to Plaintiff.

**Signed: October 4, 2005**

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
Chief United States District Judge

